

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Joseph C. Chan, et al.

Serial No.: 09/758,484

Filed: January 10, 2001

For: METHOD AND APPARATUS FOR VARIABLE
FRAME SIZE RADIOLINK PROTOCOL BASED
ON CHANNEL CONDITION ESTIMATION

Examiner: Unassigned

Art Unit: 2661

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Assistant Commissioner for Patents, Washington, D. C. 20231 on

June 29, 2001

(Date of Deposit)

Beverly Kehoe Shea

(Printed name)

Beverly Kehoe Shea

(Signature)

6/29/01

(Date)

BOX MISSING PARTS
Assistant Commissioner for Patents
Washington, D.C. 20231

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION
(FILING DATE GRANTED)**

Sir:

In response to the Notice to File Missing parts of Application (Filing Date Granted) mailed May 2, 2001, please find enclosed:

- (1) a duly executed Declaration and Power of Attorney with respect to the above-referenced patent application (two duplicate copies separately executed by Joseph C. Chan and Chinh Tran);
- (2) an Amendment and Petition under 37 C.F. R. §1.47(b) to correct a defective Declaration and Power of Attorney that is lacking the signature of co-inventor Chi-ping Nee, Declaration of Maria McCormack Sobrino, and a check in the amount of \$130.00 in accordance with 37 C.F.R. §1.17(i);
- (3) a check in the amount of \$130.00 in payment of the surcharge of 37 C.F.R. §1.16(e); and
- (4) a copy of the Notice to File Missing Parts of Application.

If any additional fee is required, please charge Deposit Account No. 02-2666. A duplicate of this Response is enclosed for deposit account charging purposes.

Respectfully submitted,
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: June 29, 2001

Maria McCormack Sobrino
Maria McCormack Sobrino (Reg. No. 31,639)

12400 Wilshire Blvd.
Seventh Floor
Los Angeles, CA 90025-1026 (408) 720-8598



FIRST CLASS CERTIFICATE OF MAILING

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Name of Person Mailing Correspondence

Beverly Kehoe Shea

Signature

6/29/01

Date

Serial/Patent No.: 09/758,484

Filing/Issue Date: January 10, 2001

Client: Sony Electronics, Inc.

Title: Method and Apparatus for Variable Frame Size Radiolink Protocol Based on Channel Condition Estimation

BSTZ File No.: 080398.P347

Atty/Secty Initials: MES/FMA/bks

Date Mailed: June 29, 2001

Docket Due Date: July 2, 2001

The following has been received in the U.S. Patent & Trademark Office on the date stamped hereon:

- ☐ Amendment/Response (____ pgs.)
- ☐ Appeal Brief (____ pgs.) (in triplicate)
- ☐ Application - Utility (____ pgs., with cover and abstract)
- ☐ Application - Rule 1.53(b) Continuation (____ pgs.)
- ☐ Application - Rule 1.53(b) Divisional (____ pgs.)
- ☐ Application - Rule 1.53(b) CIP (____ pgs.)
- ☐ Application - Rule 1.53(d) CPA Transmittal (____ pgs.)
- ☐ Application - Design (____ pgs.)
- ☐ Application - PCT (____ pgs.)
- ☐ Application - Provisional (____ pgs.)
- ☐ Assignment and Cover Sheet

☒ Certificate of Mailing **signed copies**

☒ Declaration & POA 10 pgs. 2 Indiv./

☐ Disclosure Docs & Orig & Copy of Inventions Signed Letter (____ pgs.)

☐ Drawings: ____ # of sheets includes ____ figures

☐ Express Mail No.: _____

☐ ____ Month(s) Extension of Time

☐ Information Disclosure Statement & PTO 149 (____ pgs.)

☐ Issue Fee Transmittal

☐ Notice of Appeal

☐ Petition for Extension of Time

☐ Petition for _____

☒ Postcard

☐ Power of Attorney (____ pgs.)

☐ Preliminary Amendment (____ pgs.)

☐ Reply Brief (____ pgs.)

☒ Response to Notice of Missing Parts

☐ Small Entity Declaration for Indep. Inventor/Small Business

☐ Transmittal Letter, in duplicate

☐ Fee Transmittal, in duplicate

☒ Check No. 43867

Amt: 130.00

☒ Check No. 43868

Amt: 130.00

☒ Other: Amendment and Petition Under 37 CFR §1.47(b); Declaration of Maria McCormack Sobrino (with 4 Exhibits); copy of Notice to File Missing Parts of Nonprovisional Application (Filed Under 37 CFR 1.53(b))



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Date 06/27/01 Sender's FedEx Account Number 1109-3568-4

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Company BLAKELY SOKOLOFF TAYLOR ZAFMAN

Address 1279 OAKMEAD PKWY

City SUNNYVALE State CA ZIP 94086

2 Your Internal Billing Reference 080398-P347

First 24 characters will appear on invoice.

3 To Recipient's Name Ms. Chi-ping Nee Phone ()

Company

Address 10327 Hitching Post Way

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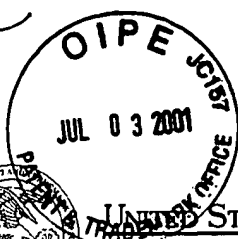
7 Payment Bill to: ☐ Sender ☐ Recipient ☐ Third Party ☐ Credit Card ☐ Cash/Check
 FedEx Acct. No. 1109-3568-4 Total Packages 1 Total Weight 1109-3568-4 Total Declared Value¹ \$.00
 Credit Card No. 1109-3568-4 Exp. Date 11/01/01
 Dry Ice ☐ Dry Ice 1, 100 lbs. ☐ Dry Ice 2, 100 lbs. ☐ Dry Ice 3, 100 lbs. ☐ Dry Ice 4, 100 lbs. ☐ Dry Ice 5, 100 lbs. ☐ Dry Ice 6, 100 lbs. ☐ Dry Ice 7, 100 lbs. ☐ Dry Ice 8, 100 lbs. ☐ Dry Ice 9, 100 lbs. ☐ Dry Ice 10, 100 lbs. ☐ Dry Ice 11, 100 lbs. ☐ Dry Ice 12, 100 lbs. ☐ Dry Ice 13, 100 lbs. ☐ Dry Ice 14, 100 lbs. ☐ Dry Ice 15, 100 lbs. ☐ Dry Ice 16, 100 lbs. ☐ Dry Ice 17, 100 lbs. ☐ Dry Ice 18, 100 lbs. ☐ Dry Ice 19, 100 lbs. ☐ Dry Ice 20, 100 lbs. ☐ Dry Ice 21, 100 lbs. ☐ Dry Ice 22, 100 lbs. ☐ Dry Ice 23, 100 lbs. ☐ Dry Ice 24, 100 lbs. ☐ Dry Ice 25, 100 lbs. ☐ Dry Ice 26, 100 lbs. ☐ Dry Ice 27, 100 lbs. ☐ Dry Ice 28, 100 lbs. ☐ Dry Ice 29, 100 lbs. ☐ Dry Ice 30, 100 lbs. ☐ Dry Ice 31, 100 lbs. ☐ Dry Ice 32, 100 lbs. ☐ Dry Ice 33, 100 lbs. ☐ Dry Ice 34, 100 lbs. ☐ Dry Ice 35, 100 lbs. ☐ Dry Ice 36, 100 lbs. ☐ Dry Ice 37, 100 lbs. ☐ Dry Ice 38, 100 lbs. ☐ Dry Ice 39, 100 lbs. ☐ Dry Ice 40, 100 lbs. ☐ Dry Ice 41, 100 lbs. ☐ Dry Ice 42, 100 lbs. ☐ Dry Ice 43, 100 lbs. ☐ Dry Ice 44, 100 lbs. ☐ Dry Ice 45, 100 lbs. ☐ Dry Ice 46, 100 lbs. ☐ Dry Ice 47, 100 lbs. ☐ Dry Ice 48, 100 lbs. ☐ Dry Ice 49, 100 lbs. ☐ Dry Ice 50, 100 lbs. ☐ Dry Ice 51, 100 lbs. ☐ Dry Ice 52, 100 lbs. ☐ Dry Ice 53, 100 lbs. ☐ Dry Ice 54, 100 lbs. ☐ Dry Ice 55, 100 lbs. ☐ Dry Ice 56, 100 lbs. ☐ Dry Ice 57, 100 lbs. ☐ Dry Ice 58, 100 lbs. ☐ Dry Ice 59, 100 lbs. ☐ Dry Ice 60, 100 lbs. ☐ Dry Ice 61, 100 lbs. ☐ Dry Ice 62, 100 lbs. ☐ Dry Ice 63, 100 lbs. ☐ Dry Ice 64, 100 lbs. ☐ Dry Ice 65, 100 lbs. ☐ Dry Ice 66, 100 lbs. ☐ Dry Ice 67, 100 lbs. ☐ Dry Ice 68, 100 lbs. ☐ Dry Ice 69, 100 lbs. ☐ Dry Ice 70, 100 lbs. ☐ Dry Ice 71, 100 lbs. ☐ Dry Ice 72, 100 lbs. ☐ Dry Ice 73, 100 lbs. ☐ Dry Ice 74, 100 lbs. ☐ Dry Ice 75, 100 lbs. ☐ Dry Ice 76, 100 lbs. ☐ Dry Ice 77, 100 lbs. ☐ Dry Ice 78, 100 lbs. ☐ Dry Ice 79, 100 lbs. ☐ Dry Ice 80, 100 lbs. ☐ Dry Ice 81, 100 lbs. ☐ Dry Ice 82, 100 lbs. ☐ Dry Ice 83, 100 lbs. ☐ Dry Ice 84, 100 lbs. ☐ Dry Ice 85, 100 lbs. ☐ Dry Ice 86, 100 lbs. ☐ Dry Ice 87, 100 lbs. ☐ Dry Ice 88, 100 lbs. ☐ Dry Ice 89, 100 lbs. ☐ Dry Ice 90, 100 lbs. ☐ Dry Ice 91, 100 lbs. ☐ Dry Ice 92, 100 lbs. ☐ Dry Ice 93, 100 lbs. ☐ Dry Ice 94, 100 lbs. ☐ Dry Ice 95, 100 lbs. ☐ Dry Ice 96, 100 lbs. ☐ Dry Ice 97, 100 lbs. ☐ Dry Ice 98, 100 lbs. ☐ Dry Ice 99, 100 lbs. ☐ Dry Ice 100, 100 lbs.

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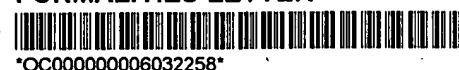
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/758,484	01/10/2001	Joseph C. Chan	80398.P347

CONFIRMATION NO. 9336

FORMALITIES LETTER



OC000000006032258

Firasat Ali
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Seventh Floor
12400 Wilshire Boulevard
Los Angeles, CA 90025-1026

Date Mailed: 05/02/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

07/09/2001 HTECKLU1 00000071 09758484

FILED UNDER 37 CFR 1.53(b)

01 FC:105

130.00 OP

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

The following item(s) appear to have been omitted from the application:

- Figure(s) 7 described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the

application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (*i.e.*, the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

*A copy of this notice **MUST** be returned with the reply.*


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PART 2 - COPY TO BE RETURNED WITH RESPONSE